

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Danielle Paulson, individually and on behalf of
all others similarly situated,

Plaintiff,

- against -

This is L. Inc.,

Defendant

1:22-cv-04665

Hon. John Robert Blakey

**JOINT MOTION TO EXTEND
PRETRIAL DEADLINES**

Plaintiff Danielle Paulson (“Plaintiff”) and Defendant This is L. Inc. (“Defendant”) (Plaintiff and Defendant sometimes collectively the “Parties”), pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and this Court’s inherent powers, jointly move the Court for entry of an order amending the pretrial deadlines set forth in the April 25, 2024 Minute Entry (ECF 30) by the Court (the “Scheduling Order”).

I. Background.

Since the Scheduling Order, the Parties have been diligently proceeding with discovery. In addition to this case, Defendant and its parent entity, and counsel for the Parties, are involved in several other cases presenting similar claims, including another case in this district and three cases filed in the United States District Court for the Eastern District of New York. The Parties’ discussions and discovery efforts have addressed not only the instant case but also how best to coordinate discovery between the cases to further efficiency and the interests of justice. The Parties’ efforts have been productive and discovery is proceeding cooperatively without the need for intervention by the Court. The Parties have stipulated and agreed to terms governing how Rule 34 discovery and depositions will proceed in this case and across the cases mentioned above.

The production of documents and electronically stored information in this case is ongoing. The scale of that expected production is significant and Defendant anticipates completing its production shortly before the existing deadline to complete fact discovery, which is December 6, 2024. To facilitate the efficient completion of deposition discovery thereafter, the Parties request an extension of the fact discovery cutoff and an adjustment to the deadlines for class certification briefing, as set forth below. The Parties have been diligent in addressing those issues as well, including through identification of topics for, and Defendant's objection and responses to, Rule 30(b)(6) depositions. The Parties intend to continue their cooperative approach to discovery with the intention of resolving any disputes by direct discussion and without the need for intervention by the Court. The Parties submit that the requested modifications to the Scheduling Order are reasonable and will facilitate the efficient resolution of the case.

II. Law & Argument.

The Parties' efforts, and their productive approach to discovery, demonstrates good cause within the meaning of Rule 16(b)(4). *See e.g., Brodsky v. HumanaDental Ins. Co.*, No. 1:10-CV-03233, 2016 WL 5476233, at *5 (N.D. Ill. Sept. 29, 2016) (Rule 16(b)(4) applies to requests to amend a scheduling order and requires good cause) (Blakey, J.). "In making a Rule 16(b) good-cause determination, the primary consideration for district courts is the diligence of the party seeking amendment." *Alioto v. Town of Lisbon*, 651 F.3d 715, 720 (7th Cir. 2011). Here, the Parties have been diligent in moving discovery forward, including through ongoing Rule 34 production, continuing cooperative discussions regarding discovery issues and coordination across matters to promote efficiency and judicial economy, and steps to prepare for deposition discovery. This motion is made well in advance of the existing deadline for completion of fact discovery and the proposed dates are informed by the Parties' efforts and progress to date.

This is a joint motion and the Parties agree to the relief requested herein. No party will be prejudiced by the proposed extensions, which the Parties submit are reasonable in length given the scope of the case and the benefits of coordination across other pending litigation in federal district courts and the concomitant promotion of judicial economy. No factor weighs against good cause. Accordingly, the Parties agree and jointly request that the Court issue an order setting new pretrial deadlines as follows:

Subject	Current Deadline	Proposed Deadline
Completion of fact discovery	12/6/2024	March 31, 2025
Plaintiff shall file any class certification motion	10/4/2024	April 30, 2025
Defendant's opposition to class certification motion	11/1/2024	June 11, 2025
Plaintiff shall file any reply in support of class certification	11/15/2024	June 30, 2025

Dated: September 4, 2024

Respectfully Submitted,

THIS IS L, INC.
By Counsel

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CERTIFICATE OF SERVICE

It is hereby certified that on September 4, 2024 foregoing was electronically filed with the Clerk of the Court via the Court's ECF system. Counsel for Plaintiff will be served by the ECF system.

/s/ Scott A. Kane

Scott A. Kane